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February 25, 2021

VIA ECF

Hon. Judge Victor Marrero
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007



Re: Cosmopolitan Interior NY Corporation v. District Council 9
Docket No.: 19-cv-02669 (VM)(KNF)

Dear Your Honor:

This firm represents the Plaintiff, Cosmopolitan Interior NY Corporation, in the above referenced case. I am writing to request an extension of the deadline to file the joint pre-trial order in this case, currently March 1, 2021, which was previously set by Magistrate Judge Fox. In addition, Plaintiff requests a telephone conference with the Court to schedule a firm trial date for the bench trial of this case, if possible.


As this Court is aware, there was an order issued on February 23, 2021 denying Defendant's request for a pre-motion conference. Discovery is complete and the case is ready for trial. However, Your Honor's trial rules for civil bench trials indicate that in the normal course of proceedings that all pre-trial filings are due no later than 30 days before the commencement date of the trial. It seems appropriate, therefore, to confer with the Court on a trial date that works for the parties and the anticipated witnesses and adjourn the current deadline for submission of the pre-trial filings and set it for an appropriate date based on the anticipated trial date.

Alternatively, Plaintiff requests that the deadline be re-set for April 1, 2021 (a thirty-day extension) to permit the parties some additional time to comply. This case had a significant amount of paper discovery, party and non-party depositions and expert discovery. My preliminary estimate is that Plaintiff will need four to five days to put on its case-in-chief at trial. In addition, Defendant reached out to me this week and stated that they intend to retain new counsel for trial, so it appears equitable to at least extend the pre-trial filing deadline 30 days.

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Judge Marrero
February 25, 2021
Page 2 of 2

Respectfully yours,



Adam C. Weiss

cc: Counsel for Defendant

The deadline to file the joint pretrial order in this case is extended to April 1, 2021. The parties are directed to confer and propose trial dates in the September - October timeframe.

SO ORDERED.

February 26,
2021

DATE


VICTOR MARRERO, U.S.D.J.